

Amendment No. 1 to SB2753

Johnson  
Signature of Sponsor

**AMEND Senate Bill No. 2753**

**House Bill No. 2685\***

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-21-401, is amended by adding the following language as a new subsection:

(c)

(1) The state of Tennessee recognizes that safety and training requirements must be understood by all employees. Notwithstanding this chapter or title 50, to the contrary, it shall be an allowable employment practice for an employer to require an employee to speak, or an applicant for employment to agree to speak, English at certain times while engaged in work, if such requirement is required by a business or safe workplace necessity and the employer provides notice to employees and applicants for employment of the requirement and the consequences of violating the requirement.

(2) A business or safe workplace necessity is:

(A) For communications with customers, coworkers, or supervisors who speak English;

(B) In emergencies or other situations in which workers must speak a common language to promote and ensure safety; and

(C) For cooperative work assignments in which the English-only rule is needed to promote efficiency.

(3)

(A) An individual shall not be considered to be engaged in work under subdivision (c)(1) during a bona fide meal period, a rest period, or

any other break, during which the individual is not required to perform any work duties.

(B) As used in this subdivision (c)(3), the term:

(1) "Bona fide meal period" means such period; and

(2) "Rest period" means such period, within the meaning of section 785.19 of title 29, Code of Federal Regulations, or any corresponding similar regulations or ruling.

(C) An employee shall not be required to speak in English only when having casual conversation with another employee.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.